

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION  
CRIMINAL MINUTES – SENTENCING HEARING**

Case No.: 5:20CR00003-001

Date: 2/5/21

**Defendant:** Keith Allen Conley, custody

**Counsel:** Aaron Cook, CJA

**PRESENT:**      **JUDGE:** Michael F. Urbanski, CUSDJ  
                  **TIME IN COURT:** 2:02-2:55 53 mins  
                  **Deputy Clerk:** Kristin Ayersman  
                  **Court Reporter:** Mary Butenschoen  
                  **U. S. Attorney:** Heather Carlton  
                  **USPO:** Andrew Ridgway

**PROCEEDINGS:** Parties present by ZoomGov. Dft consents to proceed by video conference and waives personal appearance. No objection. Court makes the finding that it is in the interest of justice to go forward today, citing the pandemic.

- ☒ Court inquires as to Objection(s) to Presentence Report made by ☐ USA ☒ Deft. – re 2pts for vulnerable victim
- ☒ Court overrules Objection(s). ☐ Court grants Objection(s).
- ☒ No evidence presented. Argument. US notes GAL unable to participate but did ask US to relay information to the court re the child victims.
- ☒ Court adopts Presentence Report with changes to P45 and P53 – 35-50 grams should read 20-35 grams.
- ☒ Defendant Motion for Downward Departure/Variance.
- ☒ Court grants. ☐ Court denies.
- ☒ Allocutions.

**SENTENCE IMPOSED AS FOLLOWS:**

**CBOP:** 180 months total consisting of Ct 3 – 120 months; Ct 5 – 60 months consecutive to Count 3.  
**SR:** Ct 3 – 8 years, Ct 5 – 5 years to run concurrent with Ct 3 - comply w/Standard, Mandatory & Special Conditions.  
☐ Mandatory drug testing suspended.  
**SA:** \$200.00 due immediately.  
**FINE:** \$200.00

- ☒ Court recommends as follows:
  - ☒ That Defendant receive appropriate drug treatment and counseling and/or mental health treatment and counseling while imprisoned.
  - ☒ That Defendant be designated to FCI Fort Dix or to a facility that is closest to his home and that is consistent with his security classification.

**SPECIAL CONDITIONS OF SUPERVISION (Check applicable conditions):**

- ☒ The defendant shall reside in a residence free of firearms, ammunition, destructive devices and dangerous weapons.
- ☒ Following release from imprisonment, the court will evaluate defendant's status and determine whether, after incarceration, drug rehabilitation and mental health rehabilitation is necessary and appropriate. If additional rehabilitation is deemed appropriate, the defendant shall participate in a program as designated by the court, upon consultation with the probation officer, until such time as the defendant has satisfied all the requirements of the program.
- ☒ The defendant shall submit his person, property, house, residence, vehicle, papers, or office, to a search conducted by a United States probation officer. Failure to submit to a search may be grounds for revocation of release. The defendant shall warn any other occupants that the premises may be subject to searches pursuant to this condition. An officer may conduct a search pursuant to this condition only when

reasonable suspicion exists that the defendant has violated a condition of his supervision and that the areas to be searched contain evidence of this violation.

**PAYMENT SCHEDULE:**

- ☒ A lump sum payment of \$200.00 is due immediately, and during the term of imprisonment, payment in equal monthly installments of \$25.00 or 25% of the defendant's income, whichever is lesser, to commence 60 days after the date of this judgment; and payment in equal monthly installments of \$25.00 during the term of supervised release, to commence 60 days after release from imprisonment.

**ADDITIONAL RULINGS:**

- ☒ Defendant shall forfeit his interest in the property listed in the Order of Forfeiture entered on 9/15/20 at ECF 92, as amended per oral order of the court to remove cell phone, as US will return to defense counsel.
- ☒ Count(s) 1, 2, 4 and 6 dismissed on Government Motion.
- ☒ Defendant advised of right to appeal.
- ☒ Defendant remanded to custody.

**Additional Information:**

Dft states that he is fully satisfied with his representation in this case.